

Application Number 	Application/Control No. 10/786,777	Applicant(s)/Patent under Reexamination BATES ET AL.

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TERMINAL DISCLAIMER	<input type="checkbox"/> APPROVED	<input checked="" type="checkbox"/> DISAPPROVED
Date Filed : 12/17/09	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Felicia D. Roberts
The TD lacks the enforceable only during the period of common ownership clause needed to overcome a double patenting Rule 321(c). (See FP 14.27.01).
The words "legal title" in the clause do not include common ownership as to equitable title required to be included by 37 CFR 1.321(c)(3) use of the words "commonly assigned."
(Note: 37 CFR 1.321(c)(3) requires that a TD "Include a provision that any patent granted on that application or any patent subject to the reexamination proceeding shall be enforceable only for and during such period that said patent is commonly owned with the application or patent which formed the basis for the judicially created double patenting.")